

OCTOBER 27, 2005

**City Council Minutes**

The Round Rock City Council met in Work Session and Regular Session on Thursday, October 27, 2005 in the City Council Chamber, 221 E. Main Street.

CALL WORK SESSION TO ORDER - 6:30 P.M. Mayor Pro-tem McGraw chaired the meeting in Mayor Maxwell's absence.

ROLL CALL: Those members present were Mayor Pro-tem Alan McGraw, Councilmember Rufus Honeycutt, Councilmember Joe Clifford, Councilmember Carlos T. Salinas, and Councilmember Scott Rhode. Mayor Nyle Maxwell was absent. Also present were City Manager Jim Nuse and City Attorney Steve Sheets.

PRESENTATIONS:

3.A. Consider a presentation from the United Way regarding the Social Service Agency funding process. Cindy Demers, Finance Director introduced Jennifer Edwards, Chief Professional Officer of United Way of Williamson County. Jennifer Edwards outlined the Social Service Agency funding process and gave a report on the joint partnership between the City and Williamson County. An annual report, from the United Way, will be given to Council in early December 2005. The Social Service Agency Recommendation Board was composed of Cindy Demers, Councilmember Joe Clifford, Former Councilmember Gary Coe, and Mona Ryan.

CALL REGULAR SESSION TO ORDER – 7:00 P.M.

Mayor Pro-tem McGraw chaired the meeting in the absence of Mayor Maxwell.

PLEDGE OF ALLEGIANCE:

Mayor Pro-tem McGraw led the Pledge of Allegiance.

ROLL CALL: Those members present were Mayor Pro-tem Alan McGraw, Councilmember Rufus Honeycutt, Councilmember Joe Clifford, Councilmember Carlos T. Salinas, and Councilmember Scott Rhode. Mayor Nyle Maxwell was absent. Also present were City Manager Jim Nuse and City Attorney Steve Sheets.

CITIZENS COMMUNICATIONS: None

PROCLAMATIONS:

8.A. Consider a proclamation recognizing Xenia Voigt Elementary School on its 30<sup>th</sup> Birthday. This was addressed before item 13.A.1 to allow representatives of Xenia Voigt Elementary to arrive.

PUBLIC HEARINGS:

9.A.1. Consider public testimony regarding proposed amendments to Chapter 11, Zoning, Round Rock Code of Ordinances (1995 Edition), to add MU-1a (Mixed-Use Southwest Downtown) District. Joelle Jordan, Senior Planner made the staff presentation. In February 2005, The Southwest Downtown Plan was adopted as an amendment to the General Plan 2000. The Southwest Downtown Plan recommended the adoption of a mixed-use district as a

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key component to strengthen the current pattern of development in the area. The MU-1a (Mixed-Use Southwest Downtown) District establishes and preserves areas of mixed land uses primarily devoted to combining low to moderate density residential development with low to moderate commercial development. Many of the requirements are similar to the commercial zoning regulations already in place, there are a few notable changes:

- Multiple uses are allowed in the same building or on the same lot.
- Prohibition of some general commercial uses.
- More opportunities for residential living.
- Development that encourages a residential “feel”.
- Added compatibility requirements for commercial development abutting existing single-family residences.
- Lowered parking requirements.

Many public workshops were held as part of the planning process for the Southwest Downtown Plan. On September 21, 2005 the Planning and Zoning Commission recommended the addition of the MU-1a (Mixed-Use Southwest Downtown) District to the Zoning Ordinance.

Mayor Pro-tem McGraw opened the public hearing.

John Moman, 1201 Johnson Way spoke in favor of the addition of the MU-1a District.

There being no further public testimony, the public hearing was closed.

9.A.2. Consider public testimony regarding an application filed by the City of Round Rock to rezone 12 blocks in the Southwest Downtown area to MU-1a (Mixed-Use Southwest Downtown). Joelle Jordan, Senior Planner made the staff presentation. In February 2005, the Southwest Downtown Plan was adopted as an amendment to the General Plan 2000. In order to implement the recommendations of the Southwest Downtown Plan, the rezoning of 12 blocks in the Southwest Downtown Area to MU-1a (Mixed-Use Southwest Downtown) is necessary to establish and preserve areas of mixed land uses primarily devoted to combining low to medium density residential development with low to moderate commercial development. The area proposed for rezoning to MU-1a (Mixed-Use Southwest Downtown) is a 12-block area South of Round Rock Avenue, West of Mays, North of McNeil Road, East of Lake Creek and IH-35. The present zoning includes C-1 (General Commercial), C-2 (Neighborhood Commercial), LI (Light Industrial), and SF-2 (Single-Family – Standard Lot). Many public workshops were held as part of the planning process for the Southwest Downtown Plan. The Planning and Zoning Commission recommended the rezoning of the 12 blocks to MU-1a at their meeting on September 21, 2005.

Mayor Pro-tem McGraw opened the public hearing. There being no public testimony, the public hearing was closed.

CONSENT AGENDA:

The following items were considered routine by the City Council and were enacted by one motion. There was no separate discussion on any of these items. Item 13A5 was

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removed from the consent agenda and addressed in its normal sequence of the regular agenda.

\*11.A. Consider approval of the City Council minutes for October 11, 2005 and October 13, 2005.

\*12.A.1. Consider an ordinance amending Chapter 2, Sections 2.1300, 2.1904, and 2.1906 of the Round Rock Code of Ordinances (1995 Edition) regarding the licensing of dogs and cats. (Second Reading)

\*12.B.2. Consider an ordinance approving Amendment No. 2 to the FY 2004-2005 Operating Budget. (Second Reading)

\*12.B.3. Consider an ordinance adopting the proposed Library Fund Budget for FY 2005-2006. (Second Reading)

\*12.B.4. Consider an ordinance adopting the Park Development Budget for FY 2005-2006. (Second Reading)

\*12.B.5. Consider an ordinance adopting the Tree Replacement Fund Budget for FY 2005-2006. (Second Reading)

\*12.B.6. Consider an ordinance adopting the Forest Creek Golf Course Capital Budget for FY 2005-2006. (Second Reading)

\*13.A.1. Consider a resolution authorizing the Mayor to execute a Social Service Agency Annual Funding Agreement with Bluebonnet Trails CMHMRC.

\*13.A.2. Consider a resolution authorizing the Mayor to execute a Social Service Agency Annual Funding Agreement with Combined Community Action, Inc.

\*13.A.3. Consider a resolution authorizing the Mayor to execute a Social Service Agency Annual Funding Agreement with LifeSteps.

\*13.A.4. Consider a resolution authorizing the Mayor to execute a Social Service Agency Annual Funding Agreement with LifeWorks.

\*13.A.5. Consider a resolution authorizing the Mayor to execute a Social Service Agency Annual Funding Agreement with Literacy Council of Williamson County. *This item was withdrawn from the consent agenda and addressed in the normal sequence of the agenda.*

\*13.A.6. Consider a resolution authorizing the Mayor to execute a Social Service Agency Annual Funding Agreement with Round Rock Area Serving Center.

\*13.A.7. Consider a resolution authorizing the Mayor to execute a Social Service Agency Annual Funding Agreement with Round Rock Caregivers.

\*13.A.8. Consider a resolution authorizing the Mayor to execute a Social Service Agency Annual Funding Agreement with Round Rock Health Clinic.

\*13.A.9. Consider a resolution authorizing the Mayor to execute a Social Service Agency Annual Funding Agreement with Round Rock Volunteer Center.

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\*13.A.10. Consider a resolution authorizing the Mayor to execute a Social Service Agency Annual Funding Agreement with the ARC of the Capital Area.

\*13.A.11. Consider a resolution authorizing the Mayor to execute a Social Service Agency Annual Funding Agreement with Williamson County Children's Advocacy Center.

\*13.A.12. Consider a resolution authorizing the Mayor to execute a Social Service Agency Annual Funding Agreement with YMCA of Greater Williamson County.

\*13.A.13. Consider a resolution authorizing the Mayor to execute a Social Service Agency Annual Funding Agreement with Williamson-Burnet County Opportunities.

\*13.A.14. Consider a resolution authorizing the Mayor to execute a Social Service Agency Annual Funding Agreement with Williamson County Crisis Center.

MOTION: Councilmember Honeycutt moved to approve all the remaining items on the consent agenda. Councilmember Rhode seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Mayor Pro-tem McGraw Councilmember Clifford Councilmember Salinas Councilmember Rhode
	Nays:	None
	Absent:	Mayor Maxwell

ACTION: The motion carried unanimously.

APPROVAL OF MINUTES:

\*11.A. Consider approval of the City Council minutes for October 11, 2005 and October 13, 2005. This item was approved under the consent agenda.

ORDINANCES:

\*12.A.1. Consider an ordinance amending Chapter 2, Sections 2.1300, 2.1904, and 2.1906 of the Round Rock Code of Ordinances (1995 Edition) regarding the licensing of dogs and cats. (Second Reading) This item was approved under the consent agenda.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, CHAPTER 2, SECTION 2.1300 LICENSING OF DOGS AND CATS AND ESTABLISHING A LICENSE FEE AMOUNT; AND AMENDING SECTION 2.1904 IMPOUNDED ANIMAL BECOMES PROPERTY OF CITY AND ESTABLISHING AN ADOPTION FEE; AND AMENDING SECTION 2.1906 RECLAIMING ANIMALS AND IMPOUNDMENT FEES TO ESTABLISH RECLAMATION AND IMPOUNDMENT FEES; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

12.B.1. Consider an ordinance approving and adopting a budget for the Municipal Court Fund for Fiscal Year 2005-2006. (First Reading) Cindy Demers, Finance Director made the staff presentation. This fund is divided into three sections, Child Safety fees, Court Security fees, and Court Technology fees. These funds will create safer school zones for student pedestrians, support upgrades in Municipal Court Technology, and strengthen security during court sessions. All fees accounted in this fund are collected on conviction of certain Municipal Court offenses with expenditures that are defined by statute.

ORDINANCE NO. \_\_\_\_\_

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AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE MUNICIPAL COURT FUND FOR THE 2005-2006 FISCAL YEAR.

MOTION: Councilmember Rhode moved to adopt the ordinance. Councilmember Honeycutt seconded the motion.

VOTE:           Ayes:           Councilmember Honeycutt  
  Mayor Pro-tem McGraw  
  Councilmember Clifford  
  Councilmember Salinas  
  Councilmember Rhode  
                  Nays:           None  
                  Absent:       Mayor Maxwell

ACTION: The motion carried unanimously.

\*12.B.2. Consider an ordinance approving Amendment No. 2 to the FY 2004-2005 Operating Budget. (Second Reading) This item was approved under the consent agenda.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE PROVIDING FOR AMENDMENT NO. 2 TO THE OPERATING BUDGET OF THE CITY OF ROUND ROCK, TEXAS FOR FISCAL YEAR 2004-2005.

\*12.B.3. Consider an ordinance adopting the proposed Library Fund Budget for FY 2005-2006. (Second Reading) This item was approved under the consent agenda.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE LIBRARY FUND FOR THE 2005-2006 FISCAL YEAR.

\*12.B.4. Consider an ordinance adopting the Park Development Budget for FY 2005-2006. (Second Reading) This item was approved under the consent agenda.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE PARK DEVELOPMENT FUND FOR THE 2005-2006 FISCAL YEAR.

\*12.B.5. Consider an ordinance adopting the Tree Replacement Fund Budget for FY 2005-2006. (Second Reading) This item was approved under the consent agenda.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE APPROVING AND ADOPTING THE BUDGET FOR THE TREE REPLACEMENT FUND FOR THE 2005-2006 FISCAL YEAR.

\*12.B.6. Consider an ordinance adopting the Forest Creek Golf Course Capital Budget for FY 2005-2006. (Second Reading) This item was approved under the consent agenda.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE FOREST CREEK GOLF COURSE FOR FISCAL YEAR 2005-2006.

12.C.1. Consider an ordinance adopting the 2005-2006 Community Development Block Grant budget. (First Reading) Jim Stendebach, Planning and Community Development Director made the staff presentation. The 2005-2006, Community Development Annual Action Plan was adopted by the City Council on August 11, 2005. The five-year Community Development Five Year Consolidated Plan and Annual Action Plan was adopted by the City Council on July 22, 2004 and approved by the Department of Housing

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and Urban Development on October 1, 2004. This agreement between the City and HUD will allow the use of Community Development Block Grant funds set aside for specific projects and activities identified in the Community Development Annual Action Plan. Funding allocated for FY 2006 and unspent funds from previous years are included in this plan.

- \$432,402 for FY 2006;
- \$400,604 for previous years;
- \$883,006 Total budget

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR THE 2005-2006 FISCAL YEAR.

MOTION: Councilmember Rhode moved to adopt the ordinance. Councilmember Clifford seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Mayor Pro-tem McGraw Councilmember Clifford Councilmember Salinas Councilmember Rhode
	Nays:	None
	Absent:	Mayor Maxwell

ACTION: The motion carried unanimously.

PROCLAMATIONS:

8.A. Consider a proclamation recognizing Xenia Voigt Elementary School on its 30<sup>th</sup> Birthday. Mayor Pro-tem McGraw read the following proclamation and presented it to Karla Sartin with Xenia Voigt Elementary School.

WHEREAS, the City of Round Rock has strived to encourage youth involvement and activities throughout the community, and have sought to recognize individuals who support the same; and

WHEREAS, Xenia Voigt was an outstanding member of our community and school district, dedicating 48 years to educating children; and

WHEREAS, Ms. Voigt taught at Stony Point, a rural school located between Round Rock and Hutto, for two years before launching her career in 1925 as a first grade teacher in Round Rock; and

WHEREAS, in the fall of 1974 the children who were to attend the elementary school, located at 1201 Cushing Drive, selected “Xenia Voigt Elementary” as the school name; and

WHEREAS, Xenia Voigt was particularly honored on October 31, 1975, when Xenia Voigt Elementary School was opened and dedicated to her contributions; and

WHEREAS, Voigt Elementary still represents a thriving school with supportive parents, dedicated staff, and talent-rich students.

NOW, THEREFORE, I, Nyle Maxwell, Mayor of the City of Round Rock, Texas, do hereby proclaim the 27<sup>th</sup> day of October 2005 as

“Xenia Voigt Elementary Day”

in the City of Round Rock and encourage all citizens to recognize Xenia Voigt Elementary for their thirty years of dedication to the youth of our community.

Proclaimed this 27<sup>th</sup> day of October 2005.

RESOLUTIONS:

\*13.A.1. Consider a resolution authorizing the Mayor to execute a Social Service Agency Annual Funding Agreement with Bluebonnet Trails CMHMRC. This item was approved under the consent agenda. (\$2,400 will be used for the Child/Adolescent Mental Health program)

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock evaluates funding requests from local social service agencies to identify and help fund valuable, needed community services, and

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WHEREAS, the City of Round Rock has received a request for funds from Bluebonnet Trails CMHMRC, a non-profit corporation ("Agency"), and

WHEREAS, the City Council hereby determines that the requested funds will be used for a public purpose, namely to provide public mental health services to adults with serious and persistent mental illness and/or serious emotional disturbances, and

WHEREAS, the City Council desires to enter into a Social Service Agency Annual Funding Agreement with the Agency, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a Social Service Agency Annual Funding Agreement with the Agency, a copy of said agreement being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 27th day of October, 2005.

\*13.A.2. Consider a resolution authorizing the Mayor to execute a Social Service Agency Annual Funding Agreement with Combined Community Action, Inc. This item was approved under the consent agenda. (\$1,000 will be used for the Elderly Homemakers program)

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock evaluates funding requests from local social service agencies to identify and help fund valuable, needed community services, and

WHEREAS, the City of Round Rock has received a request for funds from Combined Community Action, Inc., a non-profit corporation ("Agency"), and

WHEREAS, the City Council hereby determines that the requested funds will be used for a public purpose, namely to provide assistance for elderly homemakers, and

WHEREAS, the City Council desires to enter into a Social Service Agency Annual Funding Agreement with the Agency, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a Social Service Agency Annual Funding Agreement with the Agency, a copy of said agreement being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 27th day of October, 2005.

\*13.A.3. Consider a resolution authorizing the Mayor to execute a Social Service Agency Annual Funding Agreement with LifeSteps. This item was approved under the consent agenda. (\$2,000 will be used for youth prevention intervention, outreach, screening and referral services)

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock evaluates funding requests from local social service agencies to identify and help fund valuable, needed community services, and

WHEREAS, the City of Round Rock has received a request for funds from Lifesteps, a non-profit corporation ("Agency"), and

WHEREAS, the City Council hereby determines that the requested funds will be used for a public purpose, namely to provide youth prevention and intervention, and to provide outreach, screening and referral services, and

WHEREAS, the City Council desires to enter into a Social Service Agency Annual Funding Agreement with the Agency, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a Social Service Agency Annual Funding Agreement with the Agency, a copy of said agreement being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that

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such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 27th day of October, 2005.

\*13.A.4. Consider a resolution authorizing the Mayor to execute a Social Service Agency Annual Funding Agreement with LifeWorks. This item was approved under the consent agenda. (\$12,000 will be used for domestic violence counseling and treatment services.)

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock evaluates funding requests from local social service agencies to identify and help fund valuable, needed community services, and

WHEREAS, the City of Round Rock has received a request for funds from Lifeworks, a non-profit corporation ("Agency"), and

WHEREAS, the City Council hereby determines that the requested funds will be used for a public purpose, namely to provide counseling, education, and support to youth, individuals, and families, and

WHEREAS, the City Council desires to enter into a Social Service Agency Annual Funding Agreement with the Agency, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a Social Service Agency Annual Funding Agreement with the Agency, a copy of said agreement being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 27th day of October, 2005.

\*13.A.5. Consider a resolution authorizing the Mayor to execute a Social Service Agency Annual Funding Agreement with Literacy Council of Williamson County. This item was removed from the consent agenda and addressed at this time.

Councilmember Salinas disclosed that he was abstaining from the vote and discussion on this item due to a conflict of interest and had submitted the appropriate affidavit.

City staff and the United Way of Greater Williamson County participated in a joint process to receive and evaluate funding requests from social service agencies. Funding has been established in the current year operating budget for this agency. This agreement outlines the terms and conditions for funding for the Literacy Council in the amount of \$7,000.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock evaluates funding requests from local social service agencies to identify and help fund valuable, needed community services, and

WHEREAS, the City of Round Rock has received a request for funds from Literacy Council of Williamson County, a non-profit corporation ("Agency"), and

WHEREAS, the City Council hereby determines that the requested funds will be used for a public purpose, namely to provide the resources and the programs necessary for individuals to achieve literacy, and

WHEREAS, the City Council desires to enter into a Social Service Agency Annual Funding Agreement with the Agency, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a Social Service Agency Annual Funding Agreement with the Agency, a copy of said agreement being attached hereto as Exhibit "A" and incorporated herein for all purposes.

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The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 27th day of October 2005.

MOTION: Councilmember Honeycutt moved to adopt the resolution. Councilmember Clifford seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Mayor Pro-tem McGraw Councilmember Clifford Councilmember Rhode
	Nays:	None
	Abstain:	Councilmember Salinas
	Absent:	Mayor Maxwell

ACTION: The motion carried with 5 ayes and 1 abstention.

\*13.A.6. Consider a resolution authorizing the Mayor to execute a Social Service Agency Annual Funding Agreement with Round Rock Area Serving Center. This item was approved under the consent agenda. This item was approved under the consent agenda. (\$25,000 will be used for the housing rent and/or temporary shelters for low income, elderly or disabled persons)

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock evaluates funding requests from local social service agencies to identify and help fund valuable, needed community services, and

WHEREAS, the City of Round Rock has received a request for funds from Round Rock Area Serving Center, a non-profit corporation ("Agency"), and

WHEREAS, the City Council hereby determines that the requested funds will be used for a public purpose, namely to provide for the immediate physical needs of low-income persons, the elderly, the disabled, children, and/or transients, and

WHEREAS, the City Council desires to enter into a Social Service Agency Annual Funding Agreement with the Agency, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a Social Service Agency Annual Funding Agreement with the Agency, a copy of said agreement being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 27th day of October, 2005.

\*13.A.7. Consider a resolution authorizing the Mayor to execute a Social Service Agency Annual Funding Agreement with Round Rock Caregivers. This item was approved under the consent agenda. (\$7,500 will be used to provide transportation and weekly calls for comfort, safety and social contact to elderly persons)

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock evaluates funding requests from local social service agencies to identify and help fund valuable, needed community services, and

WHEREAS, the City of Round Rock has received a request for funds from Round Rock Caregivers, a non-profit corporation ("Agency"), and

WHEREAS, the City Council hereby determines that the requested funds will be used for a public purpose, namely to provide alternative transportation for older adults who are no longer able to drive cars or access public transportation, and

WHEREAS, the City Council desires to enter into a Social Service Agency Annual Funding Agreement with the Agency, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

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That the Mayor is hereby authorized and directed to execute on behalf of the City a Social Service Agency Annual Funding Agreement with the Agency, a copy of said agreement being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 27th day of October, 2005.

\*13.A.8. Consider a resolution authorizing the Mayor to execute a Social Service Agency Annual Funding Agreement with Round Rock Health Clinic. This item was approved under the consent agenda. (\$50,000 will be used for the indigent primary care program)

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock evaluates funding requests from local social service agencies to identify and help fund valuable, needed community services, and

WHEREAS, the City of Round Rock has received a request for funds from Round Rock Health Clinic, a non-profit corporation ("Agency"), and

WHEREAS, the City Council hereby determines that the requested funds will be used for a public purpose, namely to provide medical evaluation, wellness and acute care and treatment for indigent and low-income residents, and

WHEREAS, the City Council desires to enter into a Social Service Agency Annual Funding Agreement with the Agency, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a Social Service Agency Annual Funding Agreement with the Agency, a copy of said agreement being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 27th day of October, 2005.

\*13.A.9. Consider a resolution authorizing the Mayor to execute a Social Service Agency Annual Funding Agreement with Round Rock Volunteer Center. This item was approved under the consent agenda. (\$33,000 will be used for the volunteer service programs)

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock evaluates funding requests from local social service agencies to identify and help fund valuable, needed community services, and

WHEREAS, the City of Round Rock has received a request for funds from Round Rock Volunteer Center, a non-profit corporation ("Agency"), and

WHEREAS, the City Council hereby determines that the requested funds will be used for a public purpose, namely to provide leadership, initiative, and support for volunteer efforts in the Round Rock community, and

WHEREAS, the City Council desires to enter into a Social Service Agency Annual Funding Agreement with the Agency, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a Social Service Agency Annual Funding Agreement with the Agency, a copy of said agreement being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 27th day of October, 2005.

\*13.A.10. Consider a resolution authorizing the Mayor to execute a Social Service Agency Annual Funding Agreement with the ARC of the Capital Area. This item was

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approved under the consent agenda. (\$4,000 will be used for the Family & Caregiver Support program)

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock evaluates funding requests from local social service agencies to identify and help fund valuable, needed community services, and

WHEREAS, the City of Round Rock has received a request for funds from the ARC of the Capital Area, a non-profit corporation ("Agency"), and

WHEREAS, the City Council hereby determines that the requested funds will be used for a public purpose, namely to provide basic needs, crisis assistance and support services for people with disabilities, their families, and their caregivers, and

WHEREAS, the City Council desires to enter into a Social Service Agency Annual Funding Agreement with the Agency, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a Social Service Agency Annual Funding Agreement with the Agency, a copy of said agreement being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 27th day of October, 2005.

\*13.A.11. Consider a resolution authorizing the Mayor to execute a Social Service Agency Annual Funding Agreement with Williamson County Children's Advocacy Center. This item was approved under the consent agenda. (\$10,000 will be used for the child abuse prevention program)

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock evaluates funding requests from local social service agencies to identify and help fund valuable, needed community services, and

WHEREAS, the City of Round Rock has received a request for funds from Williamson County Children's Advocacy Center, a non-profit corporation ("Agency"), and

WHEREAS, the City Council hereby determines that the requested funds will be used for a public purpose, namely to provide services to child victims of abuse, and

WHEREAS, the City Council desires to enter into a Social Service Agency Annual Funding Agreement with the Agency, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a Social Service Agency Annual Funding Agreement with the Agency, a copy of said agreement being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 27th day of October, 2005.

\*13.A.12. Consider a resolution authorizing the Mayor to execute a Social Service Agency Annual Funding Agreement with YMCA of Greater Williamson County. This item was approved under the consent agenda. (\$18,000 will be used for the Y-After School programs)

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock evaluates funding requests from local social service agencies to identify and help fund valuable, needed community services, and

WHEREAS, the City of Round Rock has received a request for funds from YMCA of Greater Williamson County, a non-profit corporation ("Agency"), and

WHEREAS, the City Council hereby determines that the requested funds will be used for a public purpose, namely to provide a teen program, after-school activities for children in grades K through Fifth, summer day camp for children in grades K through Eighth, and child development center for children ages Two to Five, and

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WHEREAS, the City Council desires to enter into a Social Service Agency Annual Funding Agreement with the Agency, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a Social Service Agency Annual Funding Agreement with the Agency, a copy of said agreement being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 27th day of October, 2005.

\*13.A.13. Consider a resolution authorizing the Mayor to execute a Social Service Agency Annual Funding Agreement with Williamson-Burnet County Opportunities. This item was approved under the consent agenda. (\$6,000 will be used for Head Start, Adult Day Care & Meals on Wheels programs)

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock evaluates funding requests from local social service agencies to identify and help fund valuable, needed community services, and

WHEREAS, the City of Round Rock has received a request for funds from Williamson-Burnet County Opportunities, a non-profit corporation ("Agency"), and

WHEREAS, the City Council hereby determines that the requested funds will be used for a public purpose, namely to provide a senior nutrition and meal program, healthcare and meals for special needs adults, and comprehensive services including education, health, dental, and social services for children, and

WHEREAS, the City Council desires to enter into a Social Service Agency Annual Funding Agreement with the Agency, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a Social Service Agency Annual Funding Agreement with the Agency, a copy of said agreement being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 27th day of October, 2005.

\*13.A.14. Consider a resolution authorizing the Mayor to execute a Social Service Agency Annual Funding Agreement with Williamson County Crisis Center. This item was approved under the consent agenda. (\$25,000 will be used to provide shelter to victims of domestic violence)

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock evaluates funding requests from local social service agencies to identify and help fund valuable, needed community services, and

WHEREAS, the City of Round Rock has received a request for funds from Williamson County Crisis Center, a non-profit corporation ("Agency"), and

WHEREAS, the City Council hereby determines that the requested funds will be used for a public purpose, namely to provide comprehensive services to victims of family violence, sexual assault, and other violent crimes, and

WHEREAS, the City Council desires to enter into a Social Service Agency Annual Funding Agreement with the Agency, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a Social Service Agency Annual Funding Agreement with the Agency, a copy of said agreement being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

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upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 27th day of October, 2005.

13.B.1. Consider a resolution authorizing the City to suspend the effective date for a gas rate increase filed by Atmos Energy Corporation until January 2, 2006. David Kautz, Assistant City Manager made the staff presentation. On September 19, 2005, Atmos Energy filed its 2004 Gas Reliability Infrastructure Program (GRIP) with the Alliance of Texas Municipalities (ATM) cities and other cities in the Atmos service area. This is the second annual filing by Atmos to charge ratepayers for a return on certain pipeline investments. The Railroad Commission is still considering the 2003 GRIP filing of which ATM has a number of concerns that may require some guidance from the courts. Jim Boyle, ATM attorney, recommended that it is appropriate to suspend the rates in regards to this new filing but will advise as to an appropriate strategy once the ATM Steering Committee has met to make a final recommendation.

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY OF ROUND ROCK, TEXAS AUTHORIZING THE SUSPENSION OF THE EFFECTIVE DATE UNTIL JANUARY 2, 2006 FOR THE GAS RELIABILITY INFRASTRUCTURE PROGRAM ("GRIP") ADJUSTMENTS PROPOSED BY ATMOS ENERGY CORPORATION'S MID-TEX DIVISION FOR CALENDAR YEAR 2004; AUTHORIZING PARTICIPATION IN A COALITION OF CITIES KNOWN AS ATMOS TEXAS MUNICIPALITIES ("ATM"); AUTHORIZING THE HIRING OF LAWYERS AND RATE EXPERTS; AUTHORIZING THE CITY'S PARTICIPATION TO THE FULL EXTENT PERMITTED BY LAW AT THE RAILROAD COMMISSION OF TEXAS WITH REGARD TO THE GAS RELIABILITY INFRASTRUCTURE PROGRAM ADJUSTMENTS FOR CALENDAR YEAR 2004 PROPOSED BY ATMOS PIPELINE; REQUIRING THE REIMBURSEMENT OF MUNICIPAL RATE CASE EXPENSES; FINDING THAT THE MEETING COMPLIED WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, on or about September 19, 2005 the Atmos Energy Corporation's Mid-Tex Division ("Atmos Energy") filed an application with the City to increase gas rates for its Gas Reliability Infrastructure Program ("GRIP") for calendar year 2004 pursuant to Section 104.301 of the Gas Utility Regulatory Act("Act"), and

WHEREAS, due to the ratemaking complexity of Section 104.301 of the Act and the fact that this is the first application for recovery under that section of the Act; it is therefore necessary to engage the expertise of lawyers and consultants who specialize in ratemaking proceedings before regulatory authorities to assist the City as provided for in Section 103.022 of the Act, and

WHEREAS, given the complexity and the need to carefully review the proposed GRIP adjustment it is necessary to suspend the effective date for implementing the GRIP adjustment until at least January 2, 2006 in order to allow the City's rate experts sufficient time to determine the merits of Atmos Energy's proposed GRIP adjustment for calendar year 2004, and

WHEREAS, in order to maximize the efficient use of resources and expertise in reviewing, analyzing and investigating Atmos Energy's request for a GRIP adjustment it makes sense to coordinate the City's efforts with a coalition of similarly situated municipalities, and

WHEREAS, a coalition of municipalities, known as the Atmos Texas Municipalities ("ATM") has been active in gas utility ratemaking proceedings, and

WHEREAS, the City will join with other cities participating in ATM in a steering committee in order to coordinate the hiring and direction of legal counsel and consultants working on behalf of ATM and the City, and

WHEREAS, Atmos Energy, doing business as Atmos Pipeline - Texas ("Atmos Pipeline"), has also filed on September 19, 2005, for a GRIP adjustment at the Railroad Commission of Texas, and

WHEREAS, the filing made at the Railroad Commission of Texas by Atmos Pipeline could affect the gas rates which have to be paid by Atmos Energy customers located within the City, and

WHEREAS, it is important that the City and other similarly situated municipalities participate to the extent allowed by law in the GRIP proceeding initiated by Atmos Pipeline to insure the proper implementation of the GRIP adjustment by Atmos Pipeline, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS THAT,

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Section 1. The statements set out in the preamble to this resolution are hereby in all things approved and adopted.

Section 2. The effective date for the proposed GRIP adjustments by Atmos Energy, and the tariffs related thereto, are hereby suspended for an additional forty-five days or until January 2, 2006.

Section 3. The City is authorized to join with other cities in a coalition of cities known as the Atmos Texas Municipalities ("ATM") with the understanding that the steering committee of ATM will provide direction and guidance to the lawyers who are representing said cities.

Section 4. The City employs the Lawton Law Firm and the Law Offices of Jim Boyle, PLLC to represent the City with regard to the proposed GRIP adjustments of Atmos Energy and Atmos Pipeline before local and state regulatory authorities and any court of law and authorizes the law firms to employ such rate experts as are recommended by the ATM Steering Committee.

Section 5. The City is authorized to participate to the full extent permitted by law in the GRIP proceeding initiated by Atmos Pipeline at the Railroad Commission of Texas and any court action related thereto.

Section 6. The City, in coordination with the Steering Committee, shall review the invoices of the lawyers and rate experts for reasonableness before submitting the invoices to Atmos Energy or Atmos Pipeline for reimbursement.

Section 7. City's legal representatives shall have the right to obtain additional information from Atmos Energy through the service of requests for information, which shall be responded to within twenty (20) days of receipt of such requests for information. This is in addition to other forms of discovery.

Section 8. Atmos Energy shall reimburse the City, through the designated representative city of the Steering Committee, for the reasonable costs of attorneys and consultants and expenses related thereto, upon the presentation of invoices reviewed by the Steering Committee.

Section 9. The City Secretary is hereby directed to send a true and correct copy of this resolution to Douglas C. Walther, Senior Counsel, Atmos Energy Corporation, 5430 LBJ Freeway, Suite 1800, Dallas, Texas 75240-2601.

Section 10. This resolution shall become effective from and after its passage.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 27th day of October, 2005.

MOTION: Councilmember Rhode moved to approve the resolution. Councilmember Clifford seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Mayor Pro-tem McGraw Councilmember Clifford Councilmember Salinas Councilmember Rhode
	Nays:	None
	Absent:	Mayor Maxwell

ACTION: The motion carried unanimously.

13.C.1. Consider a resolution determining that Chasco Constructors, Ltd., L.L.P. is the offeror that offers the best value for the City for the construction of the Rock'n River Family Aquatic Center at Old Settlers Park at Palm Valley, and authorizing the Mayor to execute a Standard Form of Agreement Between Owner and Contractor Where the Basis of Payment is a Stipulated Sum, and a Post-Proposal Negotiated Amendment with Chasco Constructors, Ltd. L.L.P. Rick Atkins, Parks and Recreation Director made the staff presentation. The City accepted Competitive Sealed Proposals in mid-October. Chasco Constructors, LTD, submitted the proposal that is the "best value" for the City. The Old Settlers Park at Palm Valley Family Aquatic Center project involves the creation of an outdoor aquatic facility consisting of pool elements, as well as spray features and a water slide. This project was part of the 2001 G.O. Bond package.

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RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock has previously determined in Resolution No. R-05-08-11-11A1 that "Competitive Sealed Proposal" is the delivery method which provides the best value for the City for construction of the Rock'n River Family Aquatic Center at Old Settlers Park at Palm Valley, and

WHEREAS, after advertising for and receiving proposals from offerors, the City of Round Rock determines that Chasco Constructors, Ltd., L.L.P. is the offeror which offers the best value for the City, and

WHEREAS, Texas Local Government Code §271.116(f) allows the City and its architect to "discuss with the selected offeror options for a scope or time modification and any price change associated with the modification", and

WHEREAS, such post-proposal negotiations were held and did result in certain changes to scope and price changes associated with such modifications, and

WHEREAS, the City Council now wishes to enter into a "Standard Form of Agreement Between Owner and Contractor Where the Basis of Payment is a Stipulated Sum" with Chasco Constructors, Ltd., L.L.P., and wishes to enter into a "Post-Proposal Negotiated Amendment" with Chasco Constructors, Ltd., L.L.P. outlining the above-referenced changes and modifications, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That, after advertising for and receiving proposals from offerors, the City of Round Rock hereby finds that Chasco Constructors, Ltd., L.L.P. is the offeror which offers the best value for the City.

BE IT FURTHER RESOLVED

That the Mayor is hereby authorized and directed to execute on behalf of the City a "Standard Form of Agreement Between Owner and Contractor Where the Basis of Payment is a Stipulated Sum" with Chasco Constructors, Ltd., L.L.P. and a "Post-Proposal Negotiated Amendment" with Chasco Constructors, Ltd., L.L.P. for construction of the Rock'n River Family Aquatic Center at Old Settlers Park at Palm Valley, copies of same being attached hereto as Exhibit "A" and Exhibit "B" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 27th day of October, 2005.

MOTION: Councilmember Honeycutt moved to approve the resolution.

Councilmember Salinas seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Mayor Pro-tem McGraw Councilmember Clifford Councilmember Salinas Councilmember Rhode
	Nays:	None
	Absent:	Mayor Maxwell

ACTION: The motion carried unanimously.

13.D.1. Consider a resolution authorizing the Mayor to execute an Interlocal Contract with the Capital Area Rural Transportation System for public transportation services in Round Rock. Tom Word, Chief of Public Works Operations made the staff presentation. The Capital Area Rural Transportation System (CARTS) has provided public transportation services in Round Rock for a number of years. This contract will provide public transportation services for a 12-month period. Subject to Federal funding, the level of service and scheduled routes may be increased at the request of the City. The cost for the contract will not exceed \$300,000.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock wishes to enter into an Interlocal Contract with the Capital Area Rural Transportation System (CARTS) for provision of public transportation services in Round Rock from October 1, 2005 through September 30, 2006, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

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That the Mayor is hereby authorized and directed to execute on behalf of the City an Interlocal Contract with the Capital Area Rural Transportation System, a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 27th day of October, 2005.

MOTION: Councilmember Salinas moved to approve the resolution. Councilmember Clifford seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Mayor Pro-tem McGraw Councilmember Clifford Councilmember Salinas Councilmember Rhode
	Nays:	None
	Absent:	Mayor Maxwell

ACTION: The motion carried unanimously.

13.E.1. Consider a resolution authorizing the Mayor to execute an Interlocal Agreement with the City of Georgetown for providing fire flow for Celebration Church. Tom Word, Chief of Public Works Operations made the staff presentation. Celebration Church is located in the City of Georgetown water service area and Georgetown's current water system is not capable of providing adequate fire flows. This agreement will allow the City of Round Rock to provide fire flow in the event of a fire at the church until improvements are completed to Georgetown's water system. After Georgetown's improvements are complete, the connection will serve as an emergency interconnect between the two cities. In the event of a fire, the City of Georgetown will respond.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, Chapter 791 of the Texas Government Code, V.T.C.A., authorizes local governments and agencies of the state to enter into agreements with one another to perform governmental functions and services, and

WHEREAS, the City of Round Rock wishes to enter into an Interlocal Agreement with the City of Georgetown for the provision of fire flow for Celebration Church, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City said Interlocal Agreement, a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 27th day of October, 2005.

MOTION: Councilmember Honeycutt moved to approve the resolution.  
Councilmember Clifford seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Mayor Pro-tem McGraw Councilmember Clifford Councilmember Salinas Councilmember Rhode
	Nays:	None
	Absent:	Mayor Maxwell

ACTION: The motion carried unanimously.

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13.E.2. Consider a resolution authorizing the Mayor to execute Change Order No. 2 to the Contract with Chasco Contracting for the Westinghouse Wastewater Interceptor and Water Treatment Plant Offsite Wastewater Line Improvements Project. Tom Word, Chief of Public Works Operations made the staff presentation. This Change Order is for conditions discovered during the course of the construction and following the contract award. Change Order Number One, which was for \$16,250.00 was to provide 6' diameter manholes, because the 5' diameter manholes, as designed could not accept a 36" pipe and remain structurally sound. The minimum size manhole for a 36" pipe is 6' in diameter. The concrete wet well for the abandoned Chandler Creek Lift Station had never been removed, so with this change order the wet well will be removed and disposed of. In addition, per the City's easement agreement with Texas Crush Stone the City's existing 18" and 15" wastewater line (approximately 4,400 linear feet) must be removed and disposed of including manholes and restoration. Change Order Number Two will increase the current contract amount by \$79,113.50 or 5.37% and increase the contract time by 33 calendar days. The total contract price for this project including this change order will be \$1,551,491.10.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock has previously entered into a contract ("Contract") with Chasco Contracting, Inc. for the Westinghouse Wastewater Interceptor and Water Treatment Plant Offsite Wastewater Line Improvements Project, and

WHEREAS, the Council has determined that it is necessary to make changes to the quantity of work to be performed or materials, equipment, or supplies to be provided, and

WHEREAS, it has been determined that it is necessary to change said Contract in accordance with the attached Contract Change Order No. 2, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City Contract Change Order No. 2 to the Contract with Chasco Contracting, Inc. for the Westinghouse Wastewater Interceptor and Water Treatment Plant Offsite Wastewater Line Improvements Project, a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 27th day of October, 2005.

MOTION: Councilmember Clifford moved to approve the resolution. Councilmember Rhode seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Mayor Pro-tem McGraw Councilmember Clifford Councilmember Salinas Councilmember Rhode
	Nays:	None
	Absent:	Mayor Maxwell

ACTION: The motion carried unanimously.

COUNCIL COMMENTS: None

ADJOURNMENT:

There being no further business, the meeting adjourned at 8:02 p.m.

Respectfully Submitted, Sherri Monroe, Assistant City Secretary